

April 7, 2016

A regular meeting of the Village Board of Harrison, Westchester County New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on Thursday April 7, 2016 at 7:30 PM Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Ronald Belmont . . . . . Mayor

Marlane Amelio . . . . . )

Fred Sciliano . . . . . ) . . . . Trustees

Joseph Stout . . . . . )

ALSO ATTENDING:

Frank Allegretti . . . . . Town Attorney

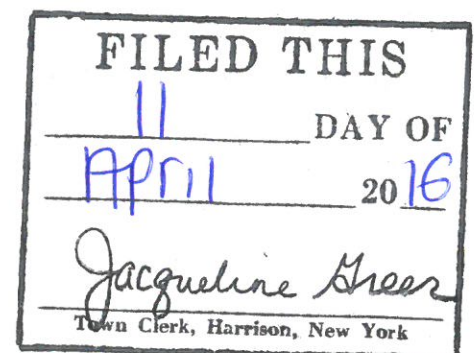
Jonathan Kraut . . . . . Village Attorney

Christopher Cipolla . . . . . Deputy Village Attorney

Anthony Marraccini . . . . . Chief of Police

Michael Amodeo . . . . . Village Engineer

Anthony Robinson . . . . . Commissioner of Public Works



April 7, 2016

V - - 2016 - - 019

AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS FOR A CAN-AM  
VEHICLE FOR THE POLICE DEPARTMENT

On motion of Trustee Amelio, seconded by Trustee Sciliano,

it was

RESOLVED to accept the request by the Purchasing Department for authorization to advertise and receive bids for a Can-Am Vehicle for the Police Department.

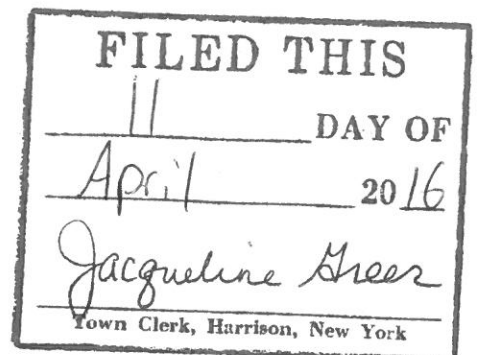
FURTHER RESOLVED to forward a copy of this Resolution to the Purchasing Department and the Chief of Police.

Adopted by the following vote:

AYES: Trustees Amelio, Sciliano and Stout  
Mayor Belmont

NAYS: None

ABSENT: Trustee Malfitano



April 7, 2016

V - - 2016 - - 020

AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS FOR THE PURCHASE  
OF HARLEY DAVIDSON POLICE MOTORCYCLES

On motion of Trustee Stout, seconded by Trustee Amelio,

it was

RESOLVED to accept the request by the Purchasing Department for authorization to advertise and receive bids for the purchase of Harley Davidson Police Motorcycles.

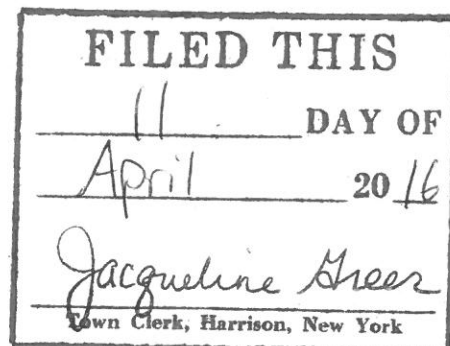
FURTHER RESOLVED to forward a copy of this Resolution to the Purchasing Department and the Chief of Police.

Adopted by the following vote:

AYES: Trustees Amelio, Sciliano and Stout  
Mayor Belmont

NAYS: None

ABSENT: Trustee Malfitano



April 7, 2016

V - - 2016 - - 021

AWARD OF BID FOR WINFIELD AVENUE AND COTTAGE AVENUE PUMP  
STATION IMPROVEMENTS

On motion of Trustee Amelio, seconded by Trustee Stout,

it was

RESOLVED to accept the recommendation by the Engineering Department to award the bid for the Winfield Avenue and Cottage Avenue Pump Station Improvements to Kings Capital Construction Group, 297 Knollwood Road, White Plains, New York 10607 in the amount of \$659,000.00. Funding for this project is available in Capital Account #12SD13.

FURTHER RESOLVED that the Law Department prepare the contract and the Mayor to execute the same.

FURTHER RESOLVED that the Treasurer, upon receipt of claims to audit and upon audit the Mayor is to pay same.

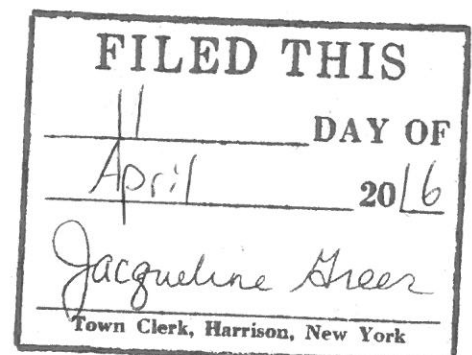
FURTHER RESOLVED to forward a copy of this Resolution to the Village Engineer, the Law Department and the Treasurer.

Adopted by the following vote:

AYES: Trustees Amelio, Sciliano and Stout  
Mayor Belmont

NAYS: None

ABSENT: Trustee Malfitano



April 7, 2016

V - - 2016 - - 022

AUTHORIZATION TO INCREASE THE UPSET LIMIT OF THE CONSTRUCTION  
ADMINISTRATION SERVICES CONTRACT WITH VHB

On motion of Trustee Sciliano, seconded by Trustee Amelio,

it was

RESOLVED to accept the request by Village Engineer Michael Amodeo, for authorization to increase the upset limit of the Construction Administration Services Contract with VHB by \$22,706.99 from \$51,700.00 to \$74,406.99, to cover additional costs incurred as a result of an additional 27 days of construction and field modifications.

FURTHER RESOLVED to have the Purchasing Department increase the upset limit of the contract as outlined above and to process the invoice for payment. Funding is available in Capital Account #15HW03.

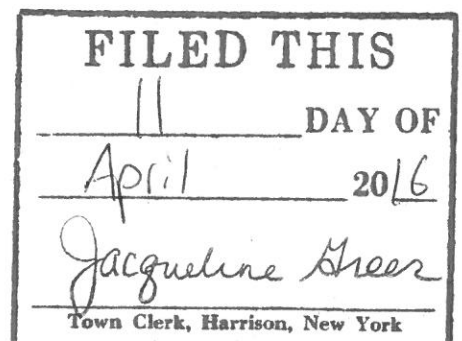
FURTHER RESOLVED to forward a copy of this Resolution to the Purchasing Department, the Village Engineer and the Treasurer.

Adopted by the following vote:

AYES: Trustees Amelio, Sciliano and Stout  
Mayor Belmont

NAYS: None

ABSENT: Trustee Malfitano



April 7, 2016

V - - 2016 - - 023a

AUTHORIZATION TO ELIMINATE THE COMMERCIAL GARBAGE AND  
RECYCLING COLLECTION PROGRAM

Harrison resident Ron Bakay, President of the Harrison House Condominiums Board of Directors located at 70 West Street addressed the Board. He stated that he represents 52 units of individual ownership. Each unit pays all the town and county taxes as owners and not as commercial tenants. A few years ago the Board labeled our condominiums as commercial property and charged us a fee for each dumpster that are used for garbage and recycling materials. The complex uses four garbage dumpsters and two recycling dumpsters. I don't think it would be much easier or cheaper if we used two garbage pails per unit. We pay the Town of Harrison approximately \$2,500 per year for our garbage removal since the Board decided to label the condominium complex as a commercial property. The Board is now considering eliminating commercial pick up and forcing so called commercial properties to hire private carting companies. This would cost us significantly and cause us to raise our monthly common charges. We are tax paying residents of Harrison and are not happy about this possible change. I have a question for the Board, why were we labeled commercial in the first place; we are all individual owners? Whose idea was that?

Mayor Belmont replied by explaining this is in our Town Code that any premise with more than four family units is considered a commercial residence.

Steven Migliachio owner of the Silver Lake Café said he was here representing himself and some of the other business owners in West Harrison. He was very disappointed in hearing that commercial businesses may be losing this service. He has used private carting in his other businesses and it is a nightmare because they are dirty, sloppy and they miss their stops. The employees of the Department of Public Works (DPW) are our residents, our customers and our neighbors. They care about the buildings, they care about our town and I don't think you can put a price on that. He has an understanding of budgeting but there are ways to save money and there are ways not to and he believes this to be a big mistake. When he started his business in Harrison a selling point was that it was business friendly town.

Louis Picani, President of Teamsters Local 456, representing the Teamsters in the Harrison Department of Sanitation. Mr. Picani opined that they are one of the best Sanitation Departments in New York State and the Board should be proud of them. I'm appealing to the Board to suspend any vote on eliminating commercial pick up until such time as the economical, environmental and community impacts are weighed. Community and small business owners raise many questions as to the viability of contracting out this work. He stated that he was concerned about the lack of transparency of this process. The members of Local 456 are concerned about their future with the Town of Harrison and are committed to continue commercial pick up and maintain good efficient friendly

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service. These jobs are important to us and our community and no one knows these routes and customers like we do and we are concerned about private carters.

Harrison resident Penny Pepe who lives at 70 West Street wanted to voice her concerns and say that she is totally against outsourcing the garbage pickup and it will be a devastating financial blow to many small merchants as well as condo and co-op owners.

Harrison resident Elizabeth Pritchard said she wanted to echo the concerns about bringing in private carters. We would have no control over when they put their trucks out on the streets and I think it will be hard on the roads, noisy for the neighborhoods and it will not be as clean and nice. I would like to see our sanitation men keep their jobs and continue to do the great job that they are doing. I have heard from local merchants that the private carters are already out soliciting their business. This doesn't say the best for the way this transpired and is a problem from a standpoint of open government.

Mayor Belmont said no one is losing their jobs, no one is getting laid off; everyone will keep their job. This topic came to this Board and we have been working on it for some time now and we've had public meetings on this for over seven weeks.

Harrison resident Elizabeth Pritchard asked Mayor Belmont how many people will lose their positions; how many jobs will be eliminated in the department by going to private carting?

Mayor Belmont replied that vacant positions will be eliminated and no one is losing their job.

Commissioner of Public Works Robinson said currently there are six sanitation employees who are assigned to the commercial garbage collection routes. We currently have three vacancies in the department, two other positions are going to be vacated shortly, probably in May, so those positions will be eliminated. The fellows that currently work in commercial will be reassigned; they will not lose their jobs.

Harrison resident Joseph Tescano who lives at 70 West Street and said he was a Sanitation Worker in the Town of Eastchester and I see what private carting does. I see how sloppy and careless they can get. I think going to private is really going to make everyone's life hard.

Harrison resident Ron Bakay asked why are the Teamsters here if no one is going to be losing their job?

Trustee Amelio responded we don't know; why don't you ask them.

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Louis Picani, President of Teamsters Local 456 said it starts out that you are eliminating but it is another word for getting rid of people. It may not happen today but time will tell.

Commissioner of Public Works Robinson said I will remind the Board that this is the same Union that was against automated sanitation, which was suppose to lose jobs as well, and not one job was lost through the implementation of that program which is a smashing success.

Harrison resident Kathie O'Connor who lives at 70 West Street said she was here to say that she and her neighbors are upset about the situation with the change in the garbage and it will make a difference with our monthly payments. She also said that the current sanitation workers do an excellent job and I hope you consider further discussion on this or is there any possibility that there could be a raise in the garbage collection in order to keep the town employees picking up.

Commissioner of Public Works Robinson provided a reminder and new information to people who are unaware, the Board is currently considering two proposals. The first proposal is the elimination of the commercial program so that we would reduce those positions and eliminate the request for purchasing the equipment associated with the program. The second proposal is to raise the user fees for the program so that we can recover 100% of the cost of operations; in total it is \$750,000 that we are short. The Commissioner explained that when Commissioner Wasp (Mr. Robinson's predecessor) first started considering the current program with Councilman Vetere and several members of the business community. Its purpose was to generate a revenue stream at a period of extreme economic hardship for the Town, residents and the commercial users of the service. It was always understood that the free service that we provided to the business owners prior to that was basically subsidized by the residents of the Town of Harrison. At that time free service was no longer a tenable position. Mr. Vetere and Mr. Wasp re-cooped some of the money while at the same time recognizing that the businesses were facing the same hardship as the general community. After much discussion they decided to charge a fee that was artificially low that would never sustain the program but would provide some revenue to the town. This year is the point at which we hit critical mass; the equipment can no longer be salvaged.

Harrison resident Richard Dionisio said I think this is a horrible idea. Mr. Dionisio showed the Board a picture that concerned him of an area across the street from the laundry mat on Harrison Avenue that is picked up by private carting. He suggested that the downtown area needs help and doesn't need anymore interference. He was concerned about the traffic and times the trucks will be coming through. Mr. Dionisio asked the Board to reconsider and look for other alternatives.



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V - - 2016 - - 023a (continued)

Harrison resident Rafic Kakart who is a resident of 70 West Street spoke against commercial carting and suggested the Board reconsider.

Trustee Amelio asked Commissioner Robinson does Rye rely on carting for their commercial business?

Commissioner of Public Works Robinson said with the services that our surrounding communities provide it is unprecedented that we have continued our service for this long.

Louis Picani, President of Teamsters Local 456 said the union represent 42 municipalities. We are asking the Commissioner and the Board to do a study and we will come back with a study that reveals we do pick it up. If the Board would like to match apples to apples the union is prepared do that. Harrison is not unique to picking up commercial garbage. We should do a comparison so everybody is educated.

Trustee Sciliano said we have that information; it was asked for. Many of our neighboring communities do not pick up commercial garbage.

Trustee Amelio said for those of you who think the town is going to look so terrible how many of you shop in Rye? Does Rye look terrible? I understand that there are some people that don't like to transition and are finding this difficult but it is also not fair to set out alarms and to make accusations that aren't accurate.

Harrison resident Bill Lahey who lives at 70 West Street asked if we are no longer having our garbage picked up will the current fee be removed.

Trustee Amelio replied that the fee will no longer be charged.

Trustee Stout said he could go either way. He could go full fee and buy the equipment and staff. To him it is a matter of dollars and cents and the majority of the folks in the rest of the community are subsidizing the commercial pick ups. It is clearly costing \$750,000 a year to provide this service so if it is cheaper and if that is what the residents want I'm ok with doing it with municipal employees and buying the trucks and charging more.

Harrison resident Jim Murabito said if you are going to do two pails for one business you need to do it for all businesses.

Trustee Amelio said you can't do two pails plus a dumpster.

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V - - 2016 - - 023a (continued)

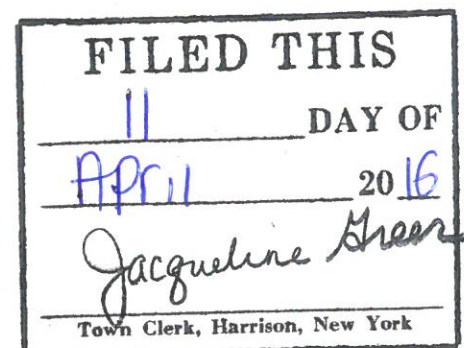
Harrison resident Jim Murabito said eventually if the schools can't stay under their tax cap and lose state aid that is going to be reflected on all the residents. Think about that before you vote.

Trustee Stout said the Commissioner needs to notify us one way or the other if it is going to continue as a municipal service. We have a capital budget meeting next week and you are up against some sort of deadline to allow businesses to make arrangements if it is a private carter. This can't go on for another month.

Trustee Sciliano said we can't keep kicking this down the road. He made a motion to eliminate the commercial garbage program without the loss of any jobs. He wanted to make a point in regards to the two 48 gallon pails. He wants it available to all recipients not just the current ones. That will help out some of the small stores that don't really use a lot of garbage.

Mayor Belmont said he would like to add that it be effective July 1, 2016. Also if a business can get down to two 48 pails they can get it picked up.

Trustee Amelio seconded the motion, and all members voting in favor.



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V - - 2016 - - 023b

AUTHORIZATION TO ELIMINATE THE COMMERCIAL GARBAGE AND  
RECYCLING COLLECTION PROGRAM

On motion of Trustee Sciliano, seconded by Trustee Amelio,

it was

RESOLVED to accept the request by Commissioner of Public Works Anthony Robinson, for authorization to eliminate the Commercial Garbage and Recycling Collection Program, effective July 1, 2016.

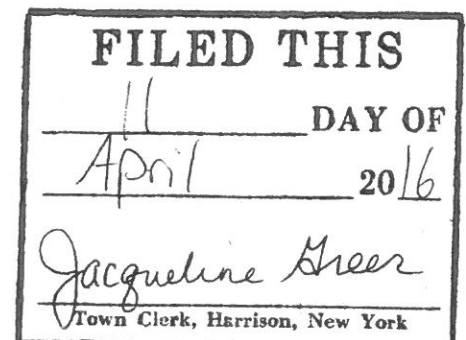
FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Law Department, the Building Inspector and the Treasurer.

Adopted by the following vote:

AYES: Trustees Amelio, Sciliano and Stout  
Mayor Belmont

NAYS: None

ABSENT: Trustee Malfitano



April 7, 2016

V - - 2016 - - 024

AUTHORIZATION TO ISSUE A PURCHASE ORDER TO SEALCOATING INC.  
FOR PAVEMENT REHABILITATION

On motion of Trustee Stout, seconded by Trustee Sciliano,

it was

RESOLVED to accept the request by Commissioner of Public Works Anthony Robinson, to authorize the Purchasing Department to issue a Purchase Order in an amount not to exceed \$230,000.00 to SealCoating Inc. for Pavement Rehabilitation of various Town roadways. Funding is available in DPW Capital Account #15HW03.

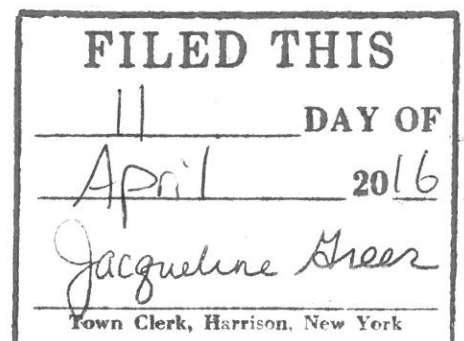
FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Purchasing Department and the Treasurer.

Adopted by the following vote:

AYES: Trustees Amelio, Sciliano and Stout  
Mayor Belmont

NAYS: None

ABSENT: Trustee Malfitano



April 7, 2016

V - - 2016 - - 025

APPROVAL OF PURCHASE ORDER #361032, ISSUED TO  
VANCE COUNTRY FORD C/O TCD

On motion of Trustee Stout, seconded by Trustee Amelio,

it was

RESOLVED to accept the request by the Purchasing Department for approval of Purchase Order #361032, issued to Vance Country Ford c/o TCD, for the purchase of a 2016 unmarked AWD Ford Police Interceptor, in the amount of \$33,396.25. Equipment is being purchased under the County of Rockland Contract #FRB-RC-2015-059. Funding is available in the 2014 Police Equipment Capital Budget Project #14PO15, account #006-3120-100-98-5.

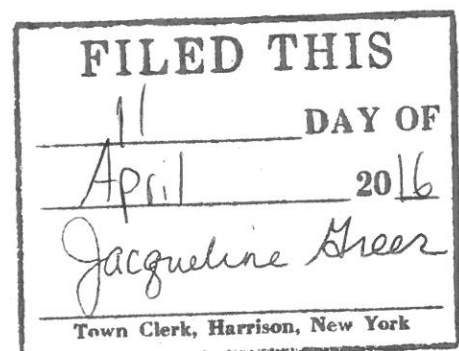
FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police, the Purchasing Department and the Treasurer.

Adopted by the following vote:

AYES: Trustees Amelio, Sciliano and Stout  
Mayor Belmont

NAYS: None

ABSENT: Trustee Malfitano



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V - - 2016 - - 026

APPROVAL OF PURCHASE ORDER #361031, ISSUED TO  
JOHN VANCE MOTORS C/O TCD

On motion of Trustee Stout, seconded by Trustee Amelio,

it was

RESOLVED to accept the request by the Purchasing Department for approval of Purchase Order #361031, issued to John Vance Motors c/o TCD, for the purchase of (4) four 2016 Dodge Chargers, \$47,652.45 per car for a total cost of \$190,609.80, including parts, labor and extended warranties. Equipment is being purchased under Westchester County Contract #RFB-WC-15182. Funding is available in the 2015 Police Traffic Equipment Capital Budget Project #15PT08, account #006-3310-100-98-75.

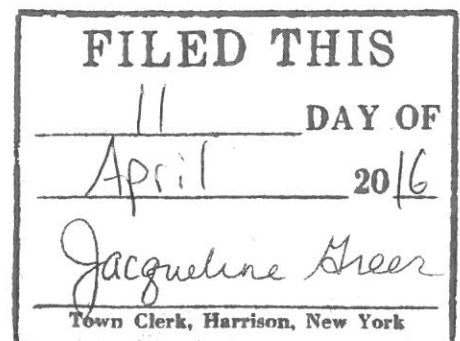
FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police, the Purchasing Department and the Treasurer.

Adopted by the following vote:

AYES: Trustees Amelio, Sciliano and Stout  
Mayor Belmont

NAYS: None

ABSENT: Trustee Malfitano



April 7, 2016

V - - 2016 - - 027

ADOPTION OF A HOME RULE RESOLUTION SUPPORTING BOTH NEW YORK  
STATE ASSEMBLY BILL NO. 9692 AND THE NEW YORK STATE SENATE BILL  
NO. 7135 IN RELATION TO THE IMPOSITION OF A HOTEL OCCUPANCY TAX  
IN THE VILLAGE OF HARRISON

On motion of Trustee Stout, seconded by Trustee Sciliano,

it was

RESOLVED to accept the request by Mayor Belmont to move forward in adopting a Home Rule Resolution supporting both the New York State Assembly Bill No. 9692 and the New York State Senate Bill No. 7135 in relation to the imposition of a Hotel Occupancy Tax in the Village of Harrison.

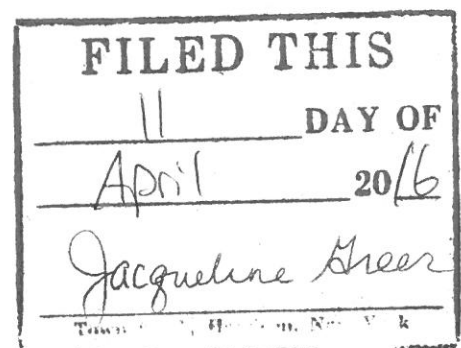
FURTHER RESOLVED to forward a copy of this Resolution to the Town Clerk.

Adopted by the following vote:

AYES: Trustees Amelio, Sciliano and Stout  
Mayor Belmont

NAYS: None

ABSENT: Trustee Malfitano



April 7, 2016

V - - 2016 - - 028

AUTHORIZATION TO EXECUTE THE INITIAL CUSTOMER INSTALLATION  
COMMITMENT IN ACCORDANCE WITH THE ENERGY EFFICIENCY SERVICES  
PROGRAM AGREEMENT

On motion of Trustee Amelio, seconded by Trustee Stout,

it was

RESOLVED to accept the request by Mayor Belmont to execute the Initial Customer Installation Commitment in accordance with the Energy Efficiency Services Program Agreement between Power Authority of the State of New York and Town and Village of Harrison, pursuant to resolution 2014 - 310, subject to Law Department review.

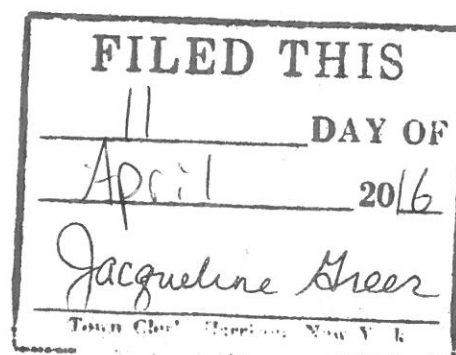
FURTHER RESOLVED to forward a copy of this Resolution to the Town Clerk.

Adopted by the following vote:

AYES: Trustees Amelio, Sciliano and Stout  
Mayor Belmont

NAYS: None

ABSENT: Trustee Malfitano





April 7, 2016

V - - 2016 - - 029

OLD BUSINESS RE: HARRISON EMS

Harrison resident Frankie Pizzella addressed the Board in support of the Harrison Emergency Medical Service (EMS) funding. Harrison EMS depends on the Town of Harrison to help fund their operations and she is concerned that there has been a motion to stop funding EMS based on an accusation of mismanagement. She was not clear on the reasons why and she requested some clarity. She had five questions for the Board:

1. When did the Town Board receive the EMS financial statements?
2. Did all the members of the Board receive the financials?
3. Is there any information outstanding that the Board did not receive?
4. What is the proof behind discontinuing the funding of Harrison EMS
5. Who, on the Board supports discontinuing funding and to go from a non-profit private organization to a profit oriented organization like Empress and why?

Ms. Pizzella went on to praise Harrison EMS and the quality of the service received from them. She understood being proactive but it doesn't seem the Board was transparent.

Mayor Belmont replied by stating that the Board had a responsibility to the town residents for the health, safety and welfare of all residents. The Board has a financial responsibility to all the residents. The Board has many concerns with Harrison EMS and asked some questions and they were not answered to the level that we would like to have them answered and they have still not been answered to the Board's satisfaction. This needs to be addressed. The Mayor, Trustee Stout, the Director of Harrison EMS and Board Members of Harrison EMS are discussing these matters and working together to come up with a resolution.

Trustee Stout suggested he thought the reason we are having these discussions now is that the Town was forced to say to EMS if you don't negotiate or speak to us we are not going to fund you any longer. The reason that Empress was contacted was because the EMS said they were going to go out of service Sunday night at 11:00 PM. Someone can say that they supplied an answer to a question and some of us can debate as to whether those answers were sufficient or not. I'm willing to work with the Board Member of EMS to see if there is a way to make this work for everybody. Members of this Board still have concerns about the operation of the business because at the end of the day if the business goes under it doesn't matter how good the care is.

Harrison resident Frankie Pizzella said her understanding is that this has transpired over the last few months and from her perspective feels a little bit out of left field when Councilwoman Amelio is invited to the Board meetings. It is my understanding that there is a liaison.

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Trustee Amelio replied that she has not been invited to any meetings. They demanded that I be removed from the Board.

Trustee Stout replied that in fact, for a long time, there were no meetings.

Mayor Belmont replied that as a matter-of-fact, Ms. Amelio was taken off the EMS Board and never told.

Harrison resident Frankie Pizzella said she pleased to hear that both parties are trying to work things out.

Harrison resident Anne Palombo said she was here tonight because she was very concerned with the recent actions with the Board and the EMS. There is a lack of information about this. She spoke about an email that a former EMS employee sent out to the EMS staff that he claims to speak for the Town Board. Ms. Palombo said the men and woman of Harrison EMS do not deserve to lose their jobs. She feels that withholding funds will destabilize EMS.

Harrison resident David Cox said he was a former employee of Harrison EMS and asked the Board why things were being kept secret and we are not being told what is going on with the mismanagement.

Mayor Belmont replied that as he mentioned earlier we are negotiating to get this worked out. We agreed to keep this between the four of us who are negotiating until it is completed.

Harrison resident David Cox said as the public we have a right to know since allegations were made that there was mismanagement.

Mayor Belmont said that the men and woman of Harrison EMS are second to none, they are the best.

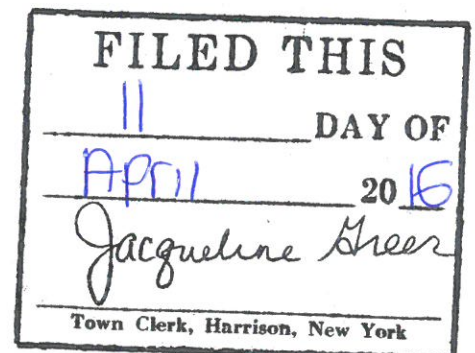
Village Attorney Kraut said when you are in contract negotiations, which is essentially where we are, it is in the Town's best interest, not to have this discussion continue in public and essentially is what the EMS Board has also agreed to during this negotiation.

Harrison resident David Cox asked the Board if they were approached by two employees and told that there was misappropriation there and you knew about this and refused to give EMS their check. You didn't know anything about any of this?

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Harrison resident David Palombo said he is a current employee of Harrison EMS and a town resident. He thanked the Board for engaging in conversation with the EMS Board and taking the time and the effort to make this work. I know you all support us out there, police, fire, and EMS.



April 7, 2016

V - - 2016 - - 030  
MATTERS FOR EXECUTIVE SESSION

Settlement of Claim: 1  
Land Acquisition: 2

On motion duly made and seconded,  
with all members voting in favor,  
the Meeting was recessed to Executive Session at 9:35 P.M.

There being no further matters to come before the Board,  
the Meeting was, on motion duly made and seconded,  
declared closed at 12:00 AM.

Respectfully submitted,

Jacqueline Greer  
Village Clerk

